

## THE HONORABLE RICHARD A. JONES

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

SHARON ROZEBOOM, ANTHONY  
LAVALLEY, BROOKE ALCANTAR,  
MARY BILSKI, MATTHEW BRESLIN,  
MICHAEL BRODSKY, KATHY BUCKLEY,  
GLENN COHEN, TERESA DOAN, JOAN  
DURANTE, CHRISTIAN GAVILANES,  
MICHAEL LAGOY, LAURA LAKOWSKI,  
THOMAS LOBELLO, KAYODE LOTT,  
THOMAS MAIER, JULIUS MALEK, TINA  
NESBITT, NELSON ORTEGA, MARK  
ROHAN, RODNEY ROSS, TRENT  
RUSSELL, SABINA SCHOEN, STEPHEN  
SHRADER, KATHLEEN SUCHAN,  
ROBERTA SUCHAN, ROBERT TOWNSEL,  
DOMINICK VITALE, AND RUTH  
WARREN INDIVIDUALLY AND/OR ON  
BEHALF OF ALL OTHER similarly situated  
individuals,

Case No.: 2:17-cv-01266-RAJ

**[PROPOSED] FINAL ORDER AND  
JUDGMENT APPROVING FLSA AND  
RULE 23 SETTLEMENT**

### **Plaintiffs.**

V.

## DIETZ & WATSON, INC.

**Defendant.**

The above-titled matter came before this Court upon the Parties' Joint Motion for Final Approval of FLSA and Rule 23 Settlement. Dkt. # 90. The proposed settlement in this case was preliminarily approved by this Court on January 31, 2019. Dkt. # 89. Pursuant to the Court's

1 Preliminary Approval of Settlement Order, the Court conducted a final fairness hearing on May  
2 17, 2019. Having considered the arguments of counsel, all applicable law, and any objections  
3 properly made to the proposed settlement, and based upon the memoranda, exhibits, and all the  
4 files and proceedings herein, the Court makes the following:

5 **ORDER**

6 1. The Court finds that it has personal jurisdiction over all members of the Settlement  
7 Class and that it has subject matter jurisdiction over all claims being settled and to approve the  
8 Settlement Agreement and all exhibits hereto. This Final Order and Judgment adopts and  
9 incorporates the Settlement Agreement, the terms defined therein, and all exhibits thereto.

10 2. The parties' Joint Motion for Final Approval of FLSA and Rule 23 Settlement is  
11 **GRANTED.**

12 3. The parties' Settlement Agreement is approved as fair, reasonable, and adequate as  
13 to the members of the FLSA Collective and Rule 23 California State Law Settlement Class,  
14 consistent and in compliance will all requirements of the law, and in the best interest of each of  
15 the parties and the members of the Settlement Class. The relief with respect to the Settlement  
16 Class is appropriate, as to the individual members of the Settlement Class and as a whole.

17 4. The Notices of Settlement approved by the Court were disseminated by U.S. Mail  
18 and e-mail to the last known address and e-mail address of each of the Plaintiffs and Rule 23  
19 settlement class members. The Notices adequately described all of the relevant and necessary  
20 aspects of the proposed Settlement, the request for service payments to the Named Plaintiffs, and  
21 Class Counsel's motion for an award of attorneys' fees and costs.

22 5. The Court finds that the Notices given to the Settlement Class Members fully  
23 complied with Rule 23, were the best notices practicable, were reasonably calculated under the  
24 circumstances to apprise members of the Settlement Class of the pendency of the litigation and  
25 their rights with respect to the settlement, and satisfied all applicable requirements of constitutional  
26 due process and any other applicable requirements under the law.

27 6. The Court directs the parties and their counsel to implement and consummate the  
28 Settlement Agreement in accordance with its terms and provisions.

7. The Settlement Agreement is binding on all Participating Settlement Class Members, as defined in the parties' Settlement Agreement.

8. The Court finds that Plaintiffs and Class Counsel adequately represented the Settlement Class for the purpose of entering into and implementing the Settlement.

9. The Court adjudges that Plaintiffs and the Settlement Class have fully, finally, and conclusively compromised, settled, discharged, dismissed, and released any and all Released Claims against Defendant and the Released Parties, as further provided in Paragraph 54 through 58 of the Settlement Agreement.

10. The Parties are hereby authorized, without further approval from the Court, to agree to and adopt such amendments, modifications, and expansions of the Settlement Agreement and all exhibits thereto as (i) are consistent in all material respects with this Final Order and Judgment, and (ii) do not limit the rights of the Settlement Class members.

11. This case, including all individual, collective, and class claims presented thereby, is hereby **DISMISSED WITH PREJUDICE**, with each party to bear his, her, or its own fees and costs, except as set forth in the Court's order awarding attorneys' fees, costs, and named plaintiff service payments, and with this Court retaining exclusive jurisdiction to enforce the Settlement Agreement, including over disbursement of the Settlement Amount.

12. The Court hereby enters Judgment approving the terms of the Settlement. This Order shall constitute a final judgment for purposes of Fed. R. Civ. P. 58.

Dated this the 17th of May, 2019.

Richard D. Jones

The Honorable Richard A. Jones  
United States District Judge